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**FISCAL IMPACT STATEMENT**

**LS 6105**

**BILL NUMBER: SB 57**

**NOTE PREPARED:** Jan 14, 2010

**BILL AMENDED:**

**SUBJECT:** Local Public Question on County Zoning.

**FIRST AUTHOR:** Sen. Steele

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill allows a county legislative body that has not adopted a comprehensive plan or zoning ordinance to adopt a resolution to place a local public question on the ballot concerning whether the county should exercise planning and zoning. It requires the legislative body to specify in the resolution whether the results of the public question will be binding on the legislative body. The bill provides that only a registered voter who resides in an unincorporated area of the county may vote on the local public question.

The bill also provides that if a majority of the votes cast on a binding local public question is in favor of exercising planning and zoning, the legislative body must adopt a comprehensive plan and zoning ordinance not later than two years after the date of the election. It provides that if a majority of the votes cast on a binding local public question is not in favor of exercising planning and zoning, the legislative body may not adopt a comprehensive plan or zoning ordinance for two years after the date of the election. The bill requires the legislative body to adopt a resolution to place a local public question on the ballot if at least the number of registered voters of the unincorporated areas of the county equal to 10% of the total votes cast in the unincorporated areas of the county at the last election for Secretary of State sign a petition requesting the county legislative body to adopt the resolution.

It requires the petition to specify whether the local public question will be binding or not binding on the legislative body. The bill also provides that if a majority of the voters vote "no" on the public question, another public question may not be conducted for four years after the date of the vote.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Election officials in counties adopting an ordinance would need to alter their ballots to add the public question. There would be a minimal increase in ballot printing costs in counties with optical scan voting systems. Electronic touchscreen counties would simply input the question into the voting system computer.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Counties without a comprehensive plan or zoning ordinance.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.